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**IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE**

Application Number: 09/478,299
Applicants: John L. Schenk
Filed: January 5, 2000
Title: Method of Cryopreserving Selected Sperm Cells
Group Art Unit: 1655
Examiner: M. Meller
Assignee: XY, Inc.
Attorney Docket: 22091-701
Customer No.: 33549

**REQUEST FOR CONTINUED EXAMINATION
PURSUANT TO 37 C.F.R. § 1.114**

I. INTRODUCTORY REMARKS

The Assignee hereby submits the following submission in this case as a Request for Continued Examination pursuant to 37 C.F.R. § 1.114. This submission consists of a request for reconsideration and a response to the Office Action dated February 9, 2006. This Request for Continued Examination is appropriate because:

- i) this request is made prior to payment of the issue fee [37 C.F.R. § 1.114 (a)(1)];
- ii) the application has not been abandoned [37 C.F.R. § 1.114 (a)(2)];
- iii) no notice of appeal has been filed [37 C.F.R. § 1.114 (a)(3)];
- iv) prosecution on the application is closed by either a final action or issuance of a notice of allowance [37 C.F.R. § 1.114 (b)];
- v) this application is not a provisional application [37 C.F.R. § 1.114 (e)(1)];
- vi) this is not a utility patent application filed before June 8, 1995 [37 C.F.R. § 1.114 (e)(2)];
- vii) this application is not an international application filed under 35 U.S.C. § 363 before June 8, 1995 [37 C.F.R. § 1.114 (e)(3)];

- viii) this application is not a design patent application [37 C.F.R. § 1.114 (e)(4)]; and
- ix) this is not a patent under reexamination [37 C.F.R. § 1.114 (e)(5)].

Amendments to the Claims begin on page 3 of this paper.

Remarks begin on page 10 of this paper.

A shortened statutory period of three months has been set, making a response to this action due on or by May 9, 2006. Pursuant to 37 C.F.R. §1.136(a), a petition for extension of time is submitted herewith extending the period for three months to and including August 9, 2006 along with the appropriate fee. The Assignee submits this request for reconsideration to fully address the Office's February 09, 2006 action.